

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1293

Introduced by

Representatives Dosch, Delzer

1 A BILL for an Act to amend and reenact subsection 20 of section 48-01.2-01 and section
2 48-02.1-12 of the North Dakota Century Code, relating to the definition of a public improvement
3 and bidding requirements.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 20 of section 48-01.2-01 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 20. "Public improvement" means any improvement undertaken by a governing body for
8 the good of the public and which is paid for with public funds and constructed on
9 public land or within a public building and includes an improvement on public or
10 nonpublic land if any portion of the construction phase of the project is paid for with
11 public funds or which is pursuant to a development agreement under chapter
12 48-02.1. The term does not include a county road construction and maintenance,
13 state highway, or public service commission project governed by title 11, 24, or 38.

14 **SECTION 2. AMENDMENT.** Section 48-02.1-12 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **48-02.1-12. Property tax exemptions ~~Exemptions from bidding requirements.~~**

17 ~~4.~~ If approved by the governing body of the city, for property within city limits, or by
18 the governing body of the county, for property outside city limits, new fee-based
19 facilities are exempt from all ad valorem taxes.

20 ~~2.~~ ~~For portions of the project that do not involve contractor ownership, the~~
21 ~~construction, improvement, rehabilitation, operation, and management of~~
22 ~~fee-based facilities by private operators under this chapter are subject to all~~
23 ~~competitive bidding and procurement requirements otherwise applicable under~~

Sixty-first
Legislative Assembly

- 1 ~~state and local laws, rules, and ordinances, if so determined by resolution of the~~
- 2 ~~governing body of the public authority.~~